

REMARKS/ARGUMENTS

Status of the Claims

- Claims 1-32 are pending in the Application after entry of this amendment.
- Claims 1-32 stand rejected.

Claim Rejections Pursuant to 35 U.S.C. §102

Claims 1-5, 12-16 and 23-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat No. 6,144,944 to Kurtzman II et al.

Kurtzman II et al. teaches a system for selecting and providing information, such as advertisements, in response to a request from a web page server to select an *appropriate* advertisement via an advertisement server 100, using one of a plurality of affinity engines 110 to indicate *the degree of relevance or matching* of a given advertisement to information corresponding to the request. The affinity engines use different request information such as demographic information, page sponsor information, keyword sponsor information, etc. (Abstract and Figure 1).

Specifically, the affinity engines 110 of Kurtzman II et al. work via the advertisement server 100, and include a page sponsor engine 112, a keyword sponsor engine 114, a content stream engine 116, a user interest engine 118, and a demographic engine 119 (Figure 1). The ad server 100, in combination with the affinity framework 110, provides a flexible and efficient system for selecting the *best-fit advertisement to show a user* at the client 175. (col. 3 lines 57-60). The page sponsor affinity engine 112 *finds advertisements that are associated with a particular page request* from the client 175. The key word sponsor engine 114 corresponds to *advertisements for key words included in the request* from the client 175. The content stream engine 116 attempts to *match a corresponding advertisement reflecting the interests of the user*. The user interest engine 118 selects advertisements that *reflect the interests expressed by the user*. The demographic engine 119 *selects advertisements that match with demographic information associated with the user*. (see col. 4 lines 41-63.)

Thus, Kurtzman II, et al. teaches a method of selecting an *appropriate* advertisement. (col. 2, line 28.), where the affinity engines weight the advertisements in an attempt to provide

a *best match advertisement(s) for a user*. The results of one affinity engine may be fed into the next engine so that a *more appropriate* advertisement can be found. (col. 2 lines 39-47).

Claim 1 of the present application recites, among other things, and in relevant part:

(b) selecting display items from a pool of all candidate sets of display items, *in a manner that normalizes the probability that the items of any one candidate set will be selected in relation to the items of the other candidate sets*;

Thus, claim 1 recites that the probability that any candidate will be selected in relation to any other candidate is *normalized*; that is, balanced and made to be without probabilistic preference. This normalization feature is also recited in each of the other independent claims 12 and 23.

As stated in the present application at page 3, lines 2-4:

The present invention is directed to *methods for balancing the allocation* of available display slots on a page among a plurality of different sources of display items, *by normalizing the probability* that the display items from any given source will be selected for display on that page.

Kurtzman II, et al. specifically introduces preferences and expands on those preferences via the use of multiple affinity engines whose purpose is to select the “best-fit” match. In this respect, Kurtzman II, et al. teaches away from Applicants’ claimed invention. Claims 1, 12, and 23 do not recite any form of “matching” or preferential affinity. In fact, it is the purpose of the invention, as recited in those claims, to avoid preferences or bias. While the specification does introduce the concept of different levels of source participation, it is still the goal of the present invention to normalize the probability of selection among candidate sets at each level of participation; the claimed invention does not provide a preference to any candidate set at a given level of source participation. For this reason, Applicants respectfully submit that independent claims 1, 12, and 23 are not anticipated by the Kurtzman II et al. reference. Inasmuch as claims 2-5, 13-16, and 24-26 depend, either directly or indirectly, from one of these independent claims, Applicants submit that they too patentably define over the Kurtzman II et al. reference for the same reason. Reconsideration of the Section 102(e) rejection of claims 1-5, 12-16, and 24-26 is therefore respectfully requested.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 6-11, 17-22 and 27-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat No. 6,144,944 to Kurtzman II et al. in view of U.S. Patent No. 6,654,725 to Langheinrich et al.

As discussed above, Kurtzman II et al. does not disclose selecting display items from a pool of all candidate sets of display items, in a manner that *normalizes* the probability that the items of any one candidate set will be selected in relation to the items of the other candidate sets. Langheinrich et al. does not cure the deficiency of Kurtzman II et al.

Langheinrich et al. teaches in col. 8, lines 7-9 that “ ...the system chooses a random advertisement according to the given probabilities (weight)...” Thus, Langheinrich et al. chooses according to probabilities. The present invention, as recited in independent claims 1, 12, and 23, does not introduce weighting to produce a probabilistic preference in the selection of a set. Rather, the present invention does the opposite; it *normalizes* the probability that the items of any one candidate set will be selected in relation to the items of the other candidates sets. The normalization feature of the present invention, if used in the system of Langheinrich et al., may render it useless. Thus, Langheinrich et al. does not cure the deficiency of Kurtzman II et al.

For the above reasons, Applicants respectfully submit that neither Kurtzman II et al. nor Langheinrich et al., either alone or in combination, teach or suggest the above-mentioned normalization feature of Claims 1, 12 and 23 upon which Claims 6-11, 17-22 and 27-32 depend. Indeed, these references teach away from the present invention. Accordingly, reconsideration of the Section 103(a) rejection of claims 6-11, 17-22, and 27-32 is respectfully requested.

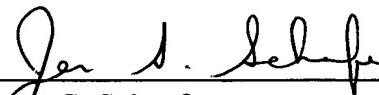
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Conclusion

In view of the above remarks, Applicants respectfully submit that the present application is in a condition for allowance. Reconsideration of the application and a Notice of Allowance are respectfully requested.

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